

**PATENT**

Attorney Docket No. 19669-702

**DECLARATION FOR UTILITY PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR PERFORMING A LATERAL FLOW ASSAY**

the specification of which

\_\_\_\_\_ is attached hereto.

  X   was filed on November 23, 1998 as Application No. 09/199,255  
and was amended on \*\_\_\_\_\_.  
(If Applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a) which states in relevant part: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section.... The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98."

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month Year Filed)

Yes

No

(Number) (Country) (Day/Month/Year Filed) Yes No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), and under §119(e) of any United States provisional application(s), listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date) (Patented, Pending, Abandoned)

(Application Serial No.) (Filing Date) (Patented, Pending, Abandoned)

Address all correspondence to:

Paul Davis  
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650 Page Mill Road  
Palo Alto, CA 94304

Direct all telephone calls to Van Mahamedj at (650) 493-9300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or  
first inventor, if any:Alan J. Polito

Inventor's signature:

Alan J. Polito

Date:

1/29/99

Citizenship:

U.S.A.

Residence:

177 Red Pine Ct., Danville, CA 94526

Post Office Address:

Same as above.

Full name of second joint  
inventor, if any:

Richard M. Thayer

Inventor's signature:

Richard M. Thayer

Date:

1/29/99

Citizenship:

U.S.A.

Residence:

112 Garvdale Ct., Alamo, CA 94507

Post Office Address:

Same as above.

Full name of third joint  
inventor, if any:

Robert K. DiNello

Inventor's signature:

Robert K. DiNello

Date:

January 29, 1999

Citizenship:

U.S.A.

Residence:

27954 El Portal Dr., Hayward, CA 94542

Post Office Address:

Same as above.

Full name of fourth joint  
inventor, if any:

George H. Sierra

Inventor's signature:

George H. Sierra

Date:

1/29/99

Citizenship:

U.S.A.

Residence:

946 Pullman Ct., Concord, CA 94518

Post Office Address:

Same as above.

Full name of fifth joint  
inventor, if any:

Dennis Nixon

Inventor's signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

Citizenship:

U.S.A.

Residence:

19 Hutchinson Road, Merrimack, NH 03054

Post Office Address:

Same as above.

Full name of second joint  
inventor, if any:

Richard M. Thayer

Inventor's signature:

Date:

Citizenship:

U.S.A.

Residence:

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Post Office Address:

Same as above.

Full name of third joint  
inventor, if any:

Robert K. DiNello

Inventor's signature:

Date:

Citizenship:

U.S.A.

Residence:

27954 El Portal Dr., Hayward, CA 94542

Post Office Address:

Same as above.

Full name of fourth joint  
inventor, if any:

George H. Sierra

Inventor's signature:

Date:

Citizenship:

U.S.A.

Residence:

946 Pullman Ct., Concord, CA 94518

Post Office Address:

Same as above.

Full name of fifth joint  
inventor, if any:

Dennis Nixon

Inventor's signature:

Dennis Nixon

Date:

27/1/99

Citizenship:

U.S.A. UK <sup>27/1/99</sup>

Residence:

19 Hutchinson Road, Merrimack, NH 03054

Post Office Address:

Same as above.

Full name of sixth joint  
inventor, if any:

Alan Phillips

Inventor's signature:

Alan C. Phillips

Date:

Jan 27, 1999

Citizenship:

U.S.A.

Residence:

1015 Border Road, Los Altos, CA 94024

Post Office Address:

Same as above.

Full name of seventh joint  
inventor, if any:

Stuart Neubarth

Inventor's signature:

Stuart K. Neubarth

Date:

JAN 27, 1999

Citizenship:

U.S.A.

Residence:

678 Lola Lane, Mountain View, CA 94040

Post Office Address:

Same as above.